

DAVID R. SINGH (Bar No. 300840)  
david.singh@weil.com  
AMY TU QUYEN LE (Bar No. 341925)  
amy.le@weil.com  
WEIL, GOTSHAL & MANGES LLP  
201 Redwood Shores Parkway, 6th Floor  
Redwood Shores, CA 94065-1134  
Telephone: (650) 802-3000  
Facsimile: (650) 802-3100

Attorneys for Defendant PHILO, INC.

JOSEPH HENRY (HANK) BATES, III (Bar No. 167688)  
hbates@cbplaw.com  
CARNEY BATES & PULLIAM, PLLC  
519 W. 7th St.  
Little Rock, AR, 72201  
Telephone: 501-312-8500  
Facsimile: 501-312-8505

Attorneys for Plaintiffs TOMIKA MAY and MATTHEW KIRSHCENBAUM

(Additional Counsel Listed on Signature Page)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

TOMIKA MAY and MATTHEW  
KIRSHCENBAUM, on behalf of themselves and  
all others similarly situated,

Plaintiffs,  
v.

PHILO, INC.,

Defendant.

Case No. 4:23-cv-01394-MMC

**STIPULATION TO EXTEND THE TIME  
FOR DEFENDANT PHILO, INC. TO  
ANSWER OR OTHERWISE RESPOND TO  
THE COMPLAINT PURSUANT TO L.R. 6.1**

Dept.: Courtroom 7 – 19th Floor  
Judge: Honorable Maxine M. Chesney

The undersigned counsel for Tomika May and Matthew Kirschenbaum (“Plaintiffs”) and Philo, Inc. (“Defendant”) (together, the “Parties”) in the above-captioned action hereby stipulate and agree, pursuant to Civil Local Rule 6-1(a), as follows:

WHEREAS Plaintiffs filed a complaint in the above-captioned case on March 24, 2023;

WHEREAS the Parties conferred and agreed to stipulate that Defendant’s time to answer or otherwise respond to the complaint should be extended;

WHEREAS this Stipulation does not constitute a waiver by Defendant of any defense, including but not limited to the defenses of lack of personal jurisdiction, subject matter jurisdiction, or improper venue.

PURSUANT TO LOCAL RULE 6-1(a), THE PARTIES, BY AND THROUGH THEIR UNDERSIGNED COUNSEL, HEREBY STIPULATE AS FOLLOWS:

1. The deadline for Defendant to answer, move, or otherwise respond to the Complaint shall be extended until May 18, 2023.

2. This Stipulation does not constitute a waiver by Defendant of any defense, including but not limited to the defenses of lack of personal jurisdiction, subject matter jurisdiction, or improper venue.

IT IS SO STIPULATED.

Dated: April 14, 2023

Respectfully submitted,

WEIL, GOTSHAL & MANGES LLP

By: /s/ David R. Singh  
DAVID R. SINGH

DAVID R. SINGH (Bar No. 300840)  
david.singh@weil.com  
AMY TU QUYEN LE (Bar No. 341925)  
amy.le@weil.com  
WEIL, GOTSHAL & MANGES LLP  
201 Redwood Shores Parkway, 6th Floor  
Redwood Shores, CA 94065-1134  
Telephone: (650) 802-3000  
Facsimile: (650) 802-3100

DAVID L. YOHAI (*pro hac vice* forthcoming)  
david.yohai@weil.com  
WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, NY 10153

Telephone: (212) 310-8000  
Facsimile: (212) 310-8007

Attorneys for Defendant PHILO, INC.

Dated: April 14, 2023

Respectfully submitted,

CARNEY BATES & PULLIAM, PLLC

By: /s/ Douglas I Cuthbertson  
DOUGLAS I CUTHBERTSON

DOUGLAS I. CUTHBERTSON (*pro hac vice*)  
dcuthbertson@lchb.com  
LIEFF CABRASER HEIMANN AND  
BERNSTEIN, LLP  
250 Hudson Street, 8th Floor  
New York, NY 10013  
Telephone: (212) 355-9500

JOSEPH HENRY (HANK) BATES, III (Bar No.  
167688)  
hbates@cbplaw.com  
CARNEY BATES & PULLIAM, PLLC  
519 W. 7th St.  
Little Rock, AR, 72201  
Telephone: 501-312-8500  
Facsimile: 501-312-8505

Attorneys for Plaintiffs TOMIKA MAY and  
MATTHEW KIRSHCENBAUM

**ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1**

I, David R. Singh, am the ECF User whose ID and password are being used to file the foregoing.  
In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Douglas I. Cuthbertson concurred in  
this filing, and I shall maintain records to support this concurrence for subsequent production for the  
Court if so ordered or for inspection upon request by a party.

Dated: April 14, 2023

/s/ David R. Singh  
DAVID R. SINGH